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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

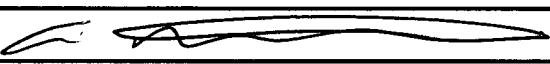
Total Number of Pages in This Submission

Application Number	10/016,244
Filing Date	October 30, 2001
First Named Inventor	Guillermo J. Tearney
Art Unit	3737
Examiner Name	To be assigned
Attorney Docket Number	186599/US/2 - 475387-00153

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> PTO-1449 form with references and Return Receipt postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Dorsey & Whitney, L.L.P.		
Signature			
Printed name	Gary Abelev, Esq.		
Date	August 15, 2006	Reg. No.	Reg. No. 40,479

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Gary Abelev, Esq.	Date	August 15, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Effective on 12/08/04

AUG 18 2006

FEE TRANSMITTAL SHEET
(Filing Date: AUG 18 2006)

 Applicant claims small entity status (see 37 C.F.R. 1.27)

METHOD OF PAYMENT (Check One)		
<input checked="" type="checkbox"/> Check	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order
<input checked="" type="checkbox"/> Deposit Account No.: 50-2054		
Deposit Account Name: DORSEY & WHITNEY LLP		
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)		
<input checked="" type="checkbox"/> Charge any additional fees or underpayments of fee(s) under 37 C.F.R. 1.16 and 1.17		
<input checked="" type="checkbox"/> Credit any overpayments		
<input type="checkbox"/> Other (please identify):		

Extra Claim Fees				
Current Claims	Prior	Extra	Fee	Fee Paid
Total		=	x \$	= \$
Ind.		=	x \$	= \$
Multiple Dependent Claims		x \$	= \$	
Subtotal (Extra Claims)				\$

Petition Fee Under 37 CFR 1.17(f), (g), & (h)	
Enclosed is a Petition filed under 37 CFR as indicated below:	
<input type="checkbox"/> Petition Fee under 37 CFR 1.17(f)	Fee \$400
§ 1.53(e)	to accord a filing date.
§ 1.57(a)	to accord a filing date.
§ 1.182	for decision on a question not provided for.
§ 1.183	to suspend the rules.
§ 1.378(e)	for reconsideration of decision on petition refusing delayed payment of maintenance fee in expired patent.
§ 1.174(b)	to accord a filing date to an application under §1.740 for extension of patent term.
<input type="checkbox"/> Petition Fee under 37 CFR 1.17(g)	Fee \$200
§ 1.12	for access to an assignment record.
§ 1.14	for access to an application.
§ 1.47	for filing by other than all inventors or person not the inventor.
§ 1.59	for expungement of information.
§ 1.103(a)	to suspend action in an application.
§ 1.136(b)	for review of a request for ext. of time when §1.136(a) not avail.
§ 1.295	for review of refusal to publish a statutory invention registration.
§ 1.296	to withdraw a req. for pub. after notice of intent to publish issued.
§ 1.377	for review of decision refusing to accept a maintenance fee filed prior to expiration of a patent.
§ 1.550(c)	for request for ext. of time in <u>ex parte</u> reexam. proceedings.
§ 1.956	for request for ext. of time in <u>ex parte</u> reexam. proceedings.
§ 5.12	for expedited handling of foreign filing license.
§ 5.15	for changing the scope of a license.
§ 1.5.25	for retroactive license.
<input type="checkbox"/> Petition Fee under 37 CFR 1.17(h)	Fee \$130
§ 1.19(g)	to request documents in a form other than provided in this part.
§ 1.84	for accepting color drawings or photographs.
§ 1.91	for entry of a model or exhibit.
§ 1.102(d)	to make an application special.
§ 1.138(c)	to expressly abandon an application to avoid publication.
§ 1.313	to withdraw an application from issue.
§ 1.314	to defer issuance of a patent.

Submitted by:

CUSTOMER NUMBER 30873	DORSEY & WHITNEY LLP	250 Park Avenue New York, NY 10177
Name: Gary Abelev, Esq.	Phone No.: 212-415-9371	Fax No.: 212-953-7201
Signature: 	Reg. No.: Reg No. 40,479	Date: August 15, 2006



186599/US/2 – 475387-00153 PATENT

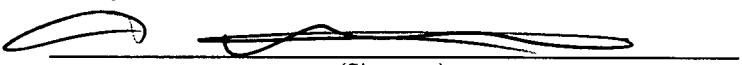
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : Guillermo J. Tearney et al.
Serial No. : 10/016,244
Filed : October 30, 2001
Entitled : OPTICAL METHODS AND SYSTEMS FOR TISSUE ANALYSIS
Group Art Unit : 3737
Examiner : Ruth S. Smith

INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. § 1.97(i)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

I hereby certify that this document is being sent via First Class U. S. mail addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on this day of August 15, 2006.


(Signature)

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicant respectfully requests that the listed references on the enclosed form PTO-1449 be placed in the file of the above-referenced application. Copies of the United States patent references listed on the Form PTO-1449 are not enclosed, but the PCT, foreign and non-patent references are enclosed.

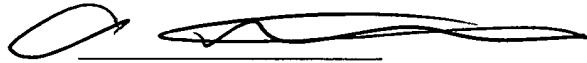
Each of the enclosed documents that are listed in the attached PTO-1449 form was cited in a communication from a international and/or foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three (3) months prior to the filing of this information disclosure statement.

If the Examiner applies the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the documents.

The requisite fee of \$180.00 pursuant to these sections and 37 C.F.R. § 1.17(p) is enclosed herewith. The Commissioner is hereby further authorized to charge any deficiencies and credit any over payments for the submission of this Information Disclosure Statement to the Dorsey & Whitney's Deposit Account 50-2054.

Respectfully submitted,

DORSEY & WHITNEY, LLP



Gary Abelev
PTO Reg. No. 40,479
Attorneys for Applicants
(212) 415-9371

4852-4111-6160\1

Form PTO-1449 U.S. Department of Commerce
(REV. 2-82) Patent and Trademark Office

Atty. Docket No.
186599/US/2 – 475387-
00153

Serial No.
10/016,244

INFORMATION DISCLOSURE STATEMENT
BY APPLICANT
(Use several sheets if necessary)



Applicant(s)
Guillermo J. Tearney

Filing Date
October 30, 2001

Group
3737

U.S. PATENT DOCUMENTS

*Exam. Init.		Document No.								Date	Name	Class	Subclass	Filing Date if Appropriate
	2004	0	1	5	0	8	2	9		August 5, 2004	Koch et al.			
		5	3	0	5	7	5	9		April 26, 1994	Kaneko et al.***			
		6	2	6	3	2	3	4		July 17, 2001	Engelhardt et al.***			

FOREIGN PATENT DOCUMENT

		Document No.								Date	Country	Class	SubClass	Translator Yes No
		9	8	1	4	1	3	2		April 9, 1998	WIPO***			
		9	8	4	8	8	3	8		November 5, 1998	WIPO***			
		4	1	3	5	5	5	0		May 11, 1992	Japan ***			
		4	1	3	5	5	5	1		May 11, 1992	Japan ***			

*** References cited in Japanese Patent Application No. 2002-538830

OTHER DOCUMENTS (including Author, Title Date, Pertinent Pages, Etc.)

Notice of Reasons for Rejection and English translation for Japanese Patent Application No. 2002-538830

4817-4609-9713\1

Examiner

Date Considered

* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.